

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Daniel J. Stallone, Code Compliance Official: 797-1121

SUBJECT: Resolution

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN IN CASE NO. 96-525 FROM \$2,200.00 IN AMOUNT TO \$808.19; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The property owners were cited for overgrowth. All violations have been corrected at this time plus further improvements on property are being completed. Mitigation is now acceptable.

PREVIOUS ACTIONS: Not applicable.

CONCURRENCES: The respondents agreed with the staff mitigation guidelines.

FISCAL IMPACT: Not applicable.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s): Resolution, Mitigation Request Summary

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN IN CASE NO. 96-525 FROM \$2,200.00 IN AMOUNT TO \$808.19; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Brian P. and Lois S. Scanlan, requested a mitigation of a Code Compliance lien from \$2,200.00 to \$808.19; and

WHEREAS, the Town of Davie Code Compliance Division has determined that the violation of Code Section 9-51(b) was corrected; and

WHEREAS, the Town of Davie Code Compliance Division staff suggested that based upon recommended mitigation guidelines, the mitigation of the original lien be from \$2,200.00 to \$808.19; and

WHEREAS, Brian P. and Lois S. Scanlan, and the Town of Davie Code Compliance Division are agreeable to such mitigation.

WHEREAS, the Town Council is agreeable to such mitigation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That the certain Code Compliance lien arising out of Case 96-525 in the amount of \$2,200.00, against Brian P. and Lois S. Scanlan, is hereby mitigated in amount to \$808.19.

SECTION 2. That this mitigated amount of \$808.19 be paid to the Town within 45 days of the enactment of this Resolution. Should this amount of \$808.19 not be paid within the specified time the lien shall revert to the original amount of \$2,200.00.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001

**TOWN OF DAVIE
MITIGATION APPLICATION REVIEW FORM**

SECTION 1: (To be completed by Code Compliance Supervisor)

1. Name of Respondent(s)/Applicant(s): Brian P. and Lois S. Scanlan
2. Case Number: 96-525
3. Total amount of Code Compliance Lien(s)/Administrative Fine(s): \$2,200.00
4. Is Respondent(s)/Applicant(s) in compliance with applicable Town Code Sections? x Yes No
(If the answer to Question 4 is no, do not complete Question 5, as compliance is a prerequisite to further processing.)
5. Mitigation amount recommended by the Town's Code Compliance Division: \$808.19

SECTION 2: (To be completed by Respondent(s)/Applicant(s))

1. Please state any and all reasons why the Town should agree to mitigate the Code Compliance Lien(s):

All violations have been corrected at this time plus further improvements are properly being completed.

Signature: Brian P. Scanlan

Date: 8-6-01

2. Please indicate the amount which you request the Code Compliance Lien(s) be mitigated to: \$ 808.19

NOTE: The Code Compliance Division will make a recommendation to the Town Council to either accept or deny your mitigation request. Please be advised that if you request mitigation to an amount less than the amount recommended by the Code Compliance Division in Section 1, Question 5, the Code Compliance Division shall automatically make a recommendation to deny your mitigation request. In the event you do not agree with the recommendation of the Department Head as set forth in Section 3 below, the matter will be referred to a Special Master who will make a recommendation to the Town Council. The decision to grant or deny the request for mitigation will be made by the Town Council. In the event the Town Council approves your mitigation request, you must pay the mitigated amount to the Town of Davie within 45 days of Town Council approval or the Code Compliance Lien(s)/Administrative Fine(s) will remain in effect in the original amount.

SECTION 3: (To be authorized by Department Director)

The Code Compliance Division recommends that the specific mitigation request made by the Respondent(s)/Applicant(s), in Section 2, to mitigate the Code Compliance Lien(s)/Administrative Fine(s) in Case Number 96-525 from a total of \$2,200.00 to the amount requested by the Respondent(s)/Applicant(s) which is \$ 808.19 ~~should~~ should not be accepted.

Daniel J. Stallone
Code Compliance Official

8-6-01
Date

Mark A. King
Department Director

8/6/01
Date

MITIGATION REQUEST SUMMARY

DATE: August 3, 2001

NAME: Brian P. and Lois S. Scanlan

ADDRESS: 8203 SW 27 Court

CASE: 96-525

SUMMARY:

Date respondent cited:	September 26, 1996
Date of Final Order:	October 17, 1996
Non-Compliance Hearing(s):	June 24, 1997
Fine/Lien(s) Imposed:	\$2,200

Department Guideline recommended mitigation amount:	\$ 808.19
Amount the respondent desires to pay:	\$ 808.19
Date respondent requested mitigation:	July 2, 2001
Date of Mitigation Hearing by Special Master:	N/A

The property owner was cited for the following violations of the Town of Davie Code:

- 1) Section 9-51(b): Failure to keep property free of high grass, weeds and/or wild growth.

The mitigated amount will cover the Town expenses and the recommended mitigated amount of \$808.19 should be considered and approved by the Town Council and the respondent given 45 days to pay the mitigated amount.

DANIEL J. STALLONE
CODE COMPLIANCE OFFICIAL

To the Town of Davie, 7-2-01
Attention: Code Compliance

I, Sheila Joy Scanlon, am
requesting mitigation on a lien
that was imposed upon in 1997.
Case number 96-525. ~~H~~

Violations are now corrected
and I would like to reduce the
fine.

Please Contact me at:
954-474-9623 home
954-816-5682 cell

Thank You,

Sheila Joy Scanlon
8203 SW 27 Ct.
Davie, FL 33328

